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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,801	07/03/2001	Richard Woundy	50325-0522 (Seq. No. 3508	3259

29989 7590 10/03/2005

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EXAMINER	
SHEW, JOHN	
ART UNIT	**PAPER NUMBER**
2664	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/898,801	WOUNDY, RICHARD	
	Examiner	Art Unit	
	John L. Shew	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *28* is/are allowed.

6)☒ Claim(s) *1-3,6,7,11,13,15-17,19,20 and 29-31* is/are rejected.

7)☒ Claim(s) *4,5,8-10,12,14,18,21-27* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 3, 11, 13, 15, 16, 17, 19, 20, 29, 30, 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Sidhu et al. (Patent number 6744759).

Claim 1, Sidhu teaches a method for providing self-provisioning of VOIP telephony service to a subscriber of the VOIP telephony service (Abstract lines 1-10, column 3 lines 32-40, FIG. 1, column 5 lines 14-32, column 16 lines 1-8) referenced by the user of the data network to control registration for feature selections wherein the data network 106 includes VOIP, the method comprising the computer-implemented steps of (FIG. 2B, column 8 lines 33-43) referenced by the computer Processor 240 implementing steps stored in Memory 242, instructing via a call signaling command (FIG. 4A, col. 16

lines 8-11) referenced by the Initiate Call 281 and a command to request service provisioning, an un-provisioned residential gateway that is associated with the subscriber (column 3 lines 32-36, FIG. 2B, column 8 lines 33-43) referenced by the subscriber data network telephone's Network Interface 210 which performs the gateway packet translation to the Network 212, to collect a subscriber numeric identity that uniquely identifies the subscriber (FIG.2A, column 7 lines 43-55) referenced by the telephone identifier collected by the Telephony Connection Server 150a, instructing via a call signaling command (FIG. 4A, col. 16 lines 8-25, FIG. 4B) referenced by the service provider sending an order screen 317 to the data network telephone 208, the residential gateway to collect a Personal Identification Number (PIN) information that is associated with the subscriber (FIG.2A, column 7 lines 43-49, column 14 Table A) referenced by the Telephony Connection Server collecting the user identifier which is a sequence of alphanumeric elements uniquely identifying the user, receiving and verifying the subscriber numeric identity and Personal Identification Number (PIN) information (FIG. 4A, column 16 lines 1-25, FIG. 8) referenced by the provisioning session requesting through an order screen 316 for the user identifier for verification in the account database 155 which is also shown in Step 704 of the registration flowchart, assigning an IP address that is associated with one or more Media Gateway Control Protocol (MGCP) messages that are sent by the residential gateway as a residential gateway IP address for the residential gateway (FIG. 2A, column 8 lines 3-9, column 14 lines 5-25) referenced by the MGCP for call management associated to the SIP-URL inclusive of the MAC address or phone number for DHCP assignment of an IP address,

and using the residential gateway IP address to provision the residential gateway that is associated with the subscriber (FIG. 3A, column 15 lines 11-22) referenced by the telephone registration process of the data network 206 using its MAC address as an initial telephone identifier and retrieving an IP address from a DHCP server 161.

Claim 2, Sidhu teaches verifying using an authentication database wherein the authentication database stores the subscriber numeric identity and PIN information (FIG. 4A, column 16 lines 9-39) referenced by the provisioning function requesting information from the user and storing a User Account 455 in the Account DB 155 which includes Password and User Telephone Number and Device ID.

Claim 3, Sidhu teaches the subscriber numeric identity is an E.164 address (column 14 lines 43-48) referenced by the telephone identifier being formatted as an E.164 telephone number.

Claim 11, Sidhu teaches instructing a residential gateway to collect a subscriber numeric identity is performed by a self-provisioning system call agent of a self-provisioning system (FIG. 3A, column 13 lines 4-11, 49-60) referenced by the User Agent Server (UAS) of the Central Registrar/Proxy Server 150a acting as a call agent to access Account DB 122 for subscribers to access their user account data to verify user identifiers and telephone identifiers, that is associated with a provider of the VoIP telephony service (FIG. 3A) referenced by the Service Provider Host 160.

Claim 13, Sidhu teaches instructing the residential gateway to collect a Personal Identification Number (PIN) information (FIG. 4A, column 16 lines 1-25, FIG. 8) referenced by the provisioning session requesting through an order screen 316 for the user identifier for verification in the account database 155, is performed by a self-provisioning system call agent of a self-provisioning system (FIG. 3A, column 13 lines 4-11, 49-60) referenced by the User Agent Server (UAS) of the Central Registrar/Proxy Server 150a acting as a call agent to access Account DB 122 for subscribers to access their user account data to verify user identifiers and telephone identifiers, that is associated with a provider of the VoIP telephony service (FIG. 3A) referenced by the Service Provider Host 160.

Claim 15, Sidhu teaches verifying the subscriber numeric identity and PIN information is performed by a self-provisioning system call agent of a self-provisioning system (column 13 lines 4-11, 49-60, FIG. 7, FIG. 8) referenced by the User Agent Server (UAS) of the Central Registrar/Proxy Server acting as a call agent of which registration is required Step 602 to verify User Identifiers and Passwords Step 704, that is associated with a provider of the VoIP telephony service (FIG. 3A) referenced by the Service Provider Host 160.

Claim 16, Sidhu teaches using a source IP address that is associated with Media Gateway Control Protocol (MGCP) messages that are sent by the residential gateway

as a residential gateway IP address for the residential gateway (FIG. 2A, column 8 lines 3-9, column 14 lines 5-25) referenced by the MGCP for call management associated to the SIP-URL inclusive of the MAC address or phone number for DHCP assignment of an IP address, is performed by a self-provisioning system call agent of a self-provisioning system that is associated with a provider of the VoIP telephony service (FIG. 3A, column 14 lines 5-14) referenced by the Data Network Telephony (Default Proxy Server) 150a of the Service Provider Host 160.

Claim 17, Sidhu teaches using the residential gateway IP address to provision the residential gateway that is associated with the subscriber (FIG. 6, column 17 lines 61-67, column 18 lines 1-9) referenced by the Data Network Telephone obtaining an IP address from the DHCP Server Step 500 followed by sending a Register message to the Proxy Server which acts as a call agent Step 502, is performed by a self-provisioning system call agent of a self-provisioning system that is associated with a provider of the VoIP telephony service (FIG. 3A, column 14 lines 5-14) referenced by the Data Network Telephony (Default Proxy Server) 150a of the Service Provider Host 160.

Claim 19, Sidhu teaches using the residential gateway IP address to provision the residential gateway (FIG. 6, column 17 lines 61-67, column 18 lines 1-9) referenced by the Data Network Telephone obtaining an IP address from the DHCP Server Step 500 followed by sending a Register message to the Proxy Server which acts as a call agent

Step 502, further comprises the step of configuring a Dynamic Host Configuration Protocol (DHCP) server to offer a long-term IP address to the residential gateway (column 14 lines 5-24) referenced by the DHCP offering an address until the data network telephone location is changed at which time the IP address is changed implying the IP address is offered long-term since the location of a residential data network telephone infrequently changes.

Claim 20, Sidhu teaches using the residential gateway IP address to provision the residential gateway (FIG. 6, column 17 lines 61-67, column 18 lines 1-9) referenced by the Data Network Telephone obtaining an IP address from the DHCP Server Step 500 followed by sending a Register message to the Proxy Server which acts as a call agent Step 502, further comprises the step of configuring a Dynamic Host Configuration Protocol (DHCP) server to associate a Domain Name System (DNS) hostname (column 13 lines 19-31, column 14 lines 5-24) referenced by the DHCP assignment of an IP address based on the SIP-URL with a domain name of the form sip:user@host.domain, that is based on the subscriber numeric identity with a MAC address of the residential gateway (column 14 lines 5-24) referenced by SIP-URL with the user component of the sip:user@host.domain wherein the user component is either a telephone number or MAC address.

Claim 29, Sidhu teaches a computer-readable medium carrying one or more sequences of instructions (FIG. 2B, column 8 lines 33-43) referenced by the computer Processor

240 implementing steps stored in Memory 242, for providing self-provisioning of VoIP telephony to a subscriber of VoIP telephony service (Abstract lines 1-10, column 3 lines 32-40, FIG. 1, column 5 lines 14-32, column 16 lines 1-8) referenced by the user of the data network to control registration for feature selections wherein the data network 106 includes VOIP, which instructions when executed by one or more processors cause the one or more processors (FIG. 2B) referenced by Processor 240, to carry out the steps of instructing via a call signaling command (FIG. 4A, col. 16 lines 8-11) referenced by the Initiate Call 281 and a command to request service provisioning, an un-provisioned residential gateway that is associated with the subscriber (column 3 lines 32-36, FIG. 2B, column 8 lines 33-43) referenced by the subscriber data network telephone's Network Interface 210 which performs the gateway packet translation to the Network 212, to collect an subscriber numeric identity that uniquely identifies the subscriber (FIG.2A, column 7 lines 43-55) referenced by the telephone identifier collected by the Telephony Connection Server 150a, instructing via a call signaling command (FIG. 4A, col. 16 lines 8-25, FIG. 4B) referenced by the service provider sending an order screen 317 to the data network telephone 208, the residential gateway to collect a Personal Identification Number (PIN) information that is associated with the subscriber (FIG.2A, column 7 lines 43-49, column 14 Table A) referenced by the Telephony Connection Server collecting the user identifier which is a sequence of alphanumeric elements uniquely identifying the user, receiving and verifying the subscriber numeric identity and Personal Identification Number (PIN) information (FIG. 4A, column 16 lines 1-25, FIG. 8) referenced by the provisioning session requesting through an order screen 316 for

the user identifier for verification in the account database 155 which is also shown in Step 704 of the registration flowchart, assigning an IP address that is associated with one or more Media Gateway Control Protocol (MGCP) messages that are sent by the residential gateway as a residential gateway IP address for the residential gateway (FIG. 2A, column 8 lines 3-9, column 14 lines 5-25) referenced by the MGCP for call management associated to the SIP-URL inclusive of the MAC address or phone number for DHCP assignment of an IP address, and using the residential gateway IP address to provision the residential gateway that is associated with the subscriber (FIG. 3A, column 15 lines 11-22) referenced by the telephone registration process of the data network 206 using its MAC address as an initial telephone identifier and retrieving an IP address from a DHCP server 161.

Claim 30, Sidhu teaches an apparatus for providing self-provisioning of VoIP telephony to a subscriber of a VoIP telephony service (Abstract lines 1-10, column 3 lines 32-40, FIG. 1, column 5 lines 14-32, column 16 lines 1-8) referenced by DNT Server 150 for the user of the data network to control registration for feature selections wherein the data network 106 includes VOIP, which apparatus comprising means for instructing via a call signaling command (FIG. 2B, column 8 lines 33-43, FIG. 4A, col. 16 lines 8-11) referenced by the computer Processor 240 implementing steps stored in Memory 242 and the Initiate Call 281 with a command to request service provisioning, an un-provisioned residential gateway that is associated with the subscriber (column 3 lines 32-36, FIG. 2B, column 8 lines 33-43) referenced by the subscriber data network

telephone's Network Interface 210 which performs the gateway packet translation to the Network 212, to collect an subscriber numeric identity that uniquely identifies the subscriber (FIG.2A, column 7 lines 43-55) referenced by the telephone identifier collected by the Telephony Connection Server 150a, means for instructing via a call signaling command (FIG. 4A, col. 16 lines 8-25, FIG. 4B) referenced by the service provider sending an order screen 317 to the data network telephone 208, the residential gateway to collect a Personal Identification Number (PIN) information that is associated with the subscriber (FIG.2A, column 7 lines 43-49, column 14 Table A) referenced by the Telephony Connection Server 150a collecting the user identifier which is a sequence of alphanumeric elements uniquely identifying the user, means for receiving and verifying the subscriber numeric identity and Personal Identification Number (PIN) information (FIG. 4A, column 16 lines 1-25, FIG. 8) referenced by Service Provider Server 151 generating a provisioning session requesting through an order screen 316 for the user identifier for verification in the account database 155 which is also shown in Step 704 of the registration flowchart, means for assigning an IP address that is associated with one or more Media Gateway Control Protocol (MGCP) messages that are sent by the residential gateway as a residential gateway IP address for the residential gateway (FIG. 2A, column 8 lines 3-9, column 14 lines 5-25, FIG. 3A) referenced by the MGCP for call management associated to the SIP-URL inclusive of the MAC address or phone number for DHCP Server 161 assignment of an IP address, and means for using the residential gateway IP address to provision the residential gateway that is associated with the subscriber (FIG. 3A, column 15 lines 11-22)

referenced by Service Provider Host 160 running the telephone registration process of the data network 206 using its MAC address as an initial telephone identifier and retrieving an IP address from a DHCP server 161.

Claim 31, Sidhu teaches an apparatus for providing self-provisioning of VoIP telephony to a subscriber of a VoIP telephony service (Abstract lines 1-10, column 3 lines 32-40, FIG. 1, column 5 lines 14-32, column 16 lines 1-8) referenced by DNT Server 150 for the user of the data network to control registration for feature selections wherein the data network 106 includes VOIP, which apparatus comprising a network interface that is coupled to the data network for receiving one or more packet flows therefrom (FIG. 3A) referenced by the Data Network Telephony Server 150a receiving packets from Data Network 106, a processor one or more stored sequenced of instructions (FIG. 3A) referenced by the Data Network Telephony Server 150a which implicitly has a processor executing instructions in memory, which when executed by the processor cause the processor to carry out the steps of instructing via a call signaling command (FIG. 4A, col. 16 lines 8-11) referenced by the Initiate Call 281 and a command to request service provisioning, an un-provisioned residential gateway that is associated with the subscriber (column 3 lines 32-36, FIG. 2B, column 8 lines 33-43) referenced by the subscriber data network telephone's Network Interface 210 which performs the gateway packet translation to the Network 212, to collect a subscriber numeric identity of the subscriber (FIG.2A, column 7 lines 43-55) referenced by the telephone identifier collected by the Telephony Connection Server 150a, instructing via a call signaling

command (FIG. 4A, col. 16 lines 8-25, FIG. 4B) referenced by the service provider sending an order screen 317 to the data network telephone 208, the residential gateway to collect a Personal Identification Number (PIN) information that is associated with the subscriber (FIG.2A, column 7 lines 43-49, column 14 Table A) referenced by the Telephony Connection Server 150a collecting the user identifier which is a sequence of alphanumeric elements uniquely identifying the user, receiving and verifying the subscriber numeric identity and Personal Identification Number (PIN) information (FIG. 4A, column 16 lines 1-25, FIG. 8) referenced by Service Provider Server 151 generating a provisioning session requesting through an order screen 316 for the user identifier for verification in the account database 155 which is also shown in Step 704 of the registration flowchart, assigning an IP address that is associated with one or more Media Gateway Control Protocol (MGCP) messages that are sent by the residential gateway as a residential gateway IP address for the residential gateway (FIG. 2A, column 8 lines 3-9, column 14 lines 5-25, FIG. 3A) referenced by the MGCP for call management associated to the SIP-URL inclusive of the MAC address or phone number for DHCP Server 161 assignment of an IP address, and using the residential gateway IP address to provision the residential gateway that is associated with the subscriber (FIG. 3A, column 15 lines 11-22) referenced by Service Provider Host 160 running the telephone registration process of the data network 206 using its MAC address as an initial telephone identifier and retrieving an IP address from a DHCP server 161.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6, 7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sidhu as applied to claims 1, 2, 3, 11, 13, 15, 16, 17, 19, 20, 29, 30, 31 above, in view of Schuster et al. (Patent number 6674745).

Claims 6, 7, Sidhu teaches receiving and storing a provisioning access number from the residential gateway (FIG. 3A, column 15 lines 11-29) referenced by the Registration message 273 with a user identifier xxxxxxxxxxxxx from the Data Network Telephone 208. Sidhu does not teach creating a VoIP connection between a residential gateway and an announcement server.

Schuster teaches instructing a residential gateway (FIG. 1, column 8 lines 26-42) referenced by the ITG 18, to create a first VoIP connection between the residential gateway and an announcement server for sending a first VoIP message from the

announcement server to the subscriber via the residential gateway (FIG. 1, column 8 lines 26-42) referenced by the establishment of an IP telephony call with the originating gateway 18 to an Interactive Voice Response system, in order to collect the subscriber numeric identity (column 8 lines 26-42) referenced by the prompt to the caller to obtain the telephone and Personal ID Number.

Schuster teaches receiving and storing the subscriber numeric identity from the residential gateway (FIG. 1, column 8 lines 26-42) referenced by the prompt to the caller to obtain the telephone and Personal ID Number, and instructing the residential gateway to delete the first VoIP connection (column 8 lines 51-59) referenced by the originating gateway once having the IP address of the terminating gateway negotiates communication parameters to establish a communication path which implies the initial connection to the IVR has been released.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to obtain identifiers through the use of the IVR system of Schuster in place of the voice over data voice mail session of Sidhu for the purpose of self-registering a gateway to automatically provide an address mapper with mapping indicia defining the IP address of the gateway and the telephone numbers served by the gateway (Abstract lines 3-6).

Allowable Subject Matter

3. Claim 28 is allowed.

Claims 4, 5, 8, 9, 10, 12, 14, 18, 21, 22, 23-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments, filed 8/25/2005, with respect to the rejection(s) of claim(s) 1, 29, 30 and 31 under 35 USC §102 have been fully considered and are deemed not persuasive. The examiner respectfully traverses the arguments presented. On review of the proposed amendments, the amendment limitation of "via a call signaling command" is disclosed by Sidhu. A residential gateway is a residentially located device for which to convert the analog voice data for transmission over a packet data network. The Network Interface 210 within the Data Network Telephone 208 resides within a

residential home and performs such a function. Further in FIG. 3A, the transmission of the REGISTER and Registration Response between the Data Network Telephone 208 and the Service Provider Host 160 is representative of call signaling commands between the gateway and the Service Provider Server 120. These commands request subscriber provisioning data and (FIG. 4A, FIG. 4B) includes information such as password, phone device ID, SIP URL, caller ID and email address which is entered via a Data Network Telephone 208 display screen 316. Such a display screen is presented via the Network Interface 210 of the Data Network Telephone 208 and as such is equivalent to a network gateway receiving a request to collect such information.

For the reasons set forth above, the rejections are maintained.

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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